

U.S. Patent Application No. 09/980,057
Reply to Office Action dated November 29, 2005

PATENT
450118-03186

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE SPECIFICATION, CLAIMS, AND FORMAL MATTERS

The abstract is hereby amended to be less than 150 words, thereby obviating the objection.

The title is hereby amended to be more descriptive thereby obviating the objection.

The amendment to claim 3 obviates the objection of claim 3.

Claims 1-11 are pending. Claims 1 and 7 are independent. Claims 1-3 and 7 are hereby amended.

Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 25-26 and Figure 3. No new matter has been introduced by this amendment.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C., §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 7-11 were rejected under 35 U.S.C. §112 for having insufficient antecedent basis. The present amendments obviate the rejections.

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III. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1-5 and 7-11 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,678,464 to Kawai, et al. (hereinafter, merely "Kawai").

Claims 1 recites, *inter alia*:

"...logic means for deciding whether a connected receiver is based on a specification including encryption technology for said copyright protection through an authentication process; ..." (emphasis added)

As understood by Applicants, Kawai prevents unlawful copying or erroneous recording of digital information by discriminating whether a recording device is present on the network and controlling the output of the digital information according to the result of discrimination.

Applicants respectfully submit that nothing has been found in Kawai that would teach or suggest the above-identified feature of claim 1. Specifically, Kawai does not teach or suggest "logic means for deciding whether a connected receiver is based on a specification including encryption technology for said copyright protection through an authentication process," as recited in claim 1.

Therefore, Applicants respectfully submit that claim 1 is patentable.

Claim 7 is similar in scope and is therefore patentable for similar reasons.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention,

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however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in Kawai, it is respectfully requested that the Examiner specifically indicate those portions of Kawai providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

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